

TOPIC: DEGREE AUTHORIZATION ACT – HARVEST BIBLE COLLEGE

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I. SUMMARY

Harvest Bible College has requested authorization to operate as a seminary or bible college. Staff has conducted the required review of the institution's application materials and finds that the institution meets the requirements with the exemption of the property tax exemption. Harvest Bible College is leasing the property from Final Harvest Christian Center, Inc. and will not be purchasing property in the state.

II. BACKGROUND

The Colorado Commission on Higher Education has statutory responsibility for administration of Title 23, Article 2 of the Colorado Revised Statutes, which authorizes certain types of institutions to offer degrees and/or degree credits. These are: (1) Colorado publicly supported colleges and universities; (2) properly accredited private colleges and universities; (3) postsecondary seminaries and bible colleges; and (4) private occupational schools authorized by the Division of Private Occupational School. Persons or unauthorized organizations that violate the provisions of the statute are subject to legal penalties.

All private colleges and universities, out of state public colleges and universities, and seminaries or bible colleges are required to register with the Colorado Department of Higher Education and to meet criteria found in CCHE Policy Section I Part J, Degree Authorization Act, in order to be granted authorization to offer degrees within Colorado. Such authorization must be received by the institution prior to offering any program of instruction, academic credits, or degrees; opening a place of business; soliciting students or enrollees; or offering educational support services.

The Commission administers the Degree Authorization Act by determining an institution's eligibility to operate pursuant to statute and CCHE policy. Commission action is required by statute in order for institutional authorization at any level.

In the case of a seminary or bible college, an institution must qualify as a bona fide religious postsecondary educational institution which is exempt from property taxation under the laws of this state. It must require for admission at least a high school diploma or its equivalent and not offer programs or courses that are secular in nature. Additionally, to qualify as a bona fide religious postsecondary educational institution, an organization must meet each of the following criteria:

1. Be a non-profit institution owned, controlled, operated, and maintained by a bona fide church or religious denomination, lawfully operating as a non-profit religious corporation pursuant to Title 7 of the Colorado Revised Statutes.
2. Limit the educational program to the principles of that church or denomination and grant degrees or diplomas only in areas of study that contain on their face a reference to the theological or religious aspect of the degree's subject area. Institutions operating under this degree authorization shall not award degrees in any area of physical science or medicine; or degrees appropriate only for academic institutions; or degrees associated with specific professional fields or endeavors not clearly and directly related to religious studies or occupations.
3. Not market, offer, or grant degrees or diplomas which are represented as being linked to a church or denomination, but which actually are degrees in secular areas of study.
4. Have obtained exemption from property taxation under state law and shall have provided the Department a copy of the certificate of this exemption.

Harvest Bible College is proposing to offer religious degrees from bachelor's level through doctorate level in the following fields of study:

- Biblical Studies (B.B.S, M.B.S. D.B.S.)
- Ministry (B. Min, M. Min, D. Min)
- Christian Education (B.C.E., M.C.E., D.C.E.)
- Christian Counseling (B.C.C., M.C.C., D.C.C.)
- Theology (B.Th., M. Th., D. Th.)
- Religion (B. Rel., M. Rel., D. Rel.)
- Divinity (M.Div.)

II. STAFF ANALYSIS

A representative from Harvest Bible College communicated with the Department of Higher Education as required by the Degree Authorization Act policy and formally applied for authorization to operate as a seminary or bible college. The representative was able to provide all documentation required by the Act with the exception of one item. No property tax exemption has been obtained due to the fact that the institution administrators seek to lease property rather than purchase. Staff verified that the Internal Revenue Service has determined that the church affiliated with Harvest Bible College is exempt from Federal income tax under section 501(c) (3). After consulting with the Attorney General's office, staff has determined that the institution would be exempt under the laws of this state if the institution sought to operate on purchased property. Copies of all relevant application materials are on file in the Academic Affairs Office.

IV. STAFF RECOMMENDATION

Staff recommends that the Commission approve authorization for Harvest Bible College as an exempt seminary or bible college.

STATUTORY AUTHORITY

23-2-103.3 (4) C.R.S.